

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DERRICK GIBSON,

Plaintiff

v.

SUPERINTENDENT BERNADETTE
MASON, *et al.*,

Defendants

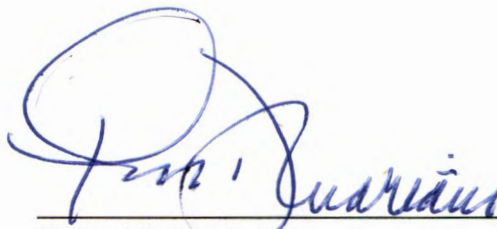
: Civil No. 3:22-cv-1538

: (Judge Mariani)

ORDER

AND NOW, this 12th day of January, 2024, upon consideration of Defendant Tobin's motion (Doc. 36) to dismiss and for summary judgment, and the parties' respective briefs in support of and in opposition to said motion, and for the reasons set forth in the accompanying Memorandum, **IT IS HEREBY ORDERED THAT:**

1. The motion (Doc. 36) is **GRANTED**.
2. The claims against Defendant Tobin are **DISMISSED**. The Clerk of Court is directed to **ENTER** judgment in favor of Brian Tobin.
3. Any appeal from this Order is **DEEMED** frivolous and not taken in good faith. See 28 U.S.C. § 1915(a)(3).



Robert D. Mariani
United States District Judge